

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: NAVIDEA BIOPHARMACEUTICALS
LITIGATION

Case No: 1:19-cv-01578-VEC-VF

ECF Case

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Plaintiff / Counterclaim Defendant Navidea Biopharmaceuticals, Inc. (“Navidea”), through its undersigned attorneys Mintz & Gold LLP, will move this Court before the Honorable Valerie E. Caproni, at the Thurgood Marshall United States Courthouse, Courtroom 443, 40 Foley Square, New York, New York 10007, for an order pursuant to Federal Rule of Civil Procedure 60 and Local Rule 6.3, clarifying or reconsidering the Court’s Opinion and Order denying in part Navidea’s motion for summary judgment (Dkt. 339).

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b), Defendant and Counterclaim Plaintiff Dr. Michael Goldberg’s opposition to Navidea’s motion shall be filed no later than April 22, 2024, and Navidea’s reply in further support of this motion shall be filed no later than April 29, 2024.

Dated: April 8, 2024
New York, New York

By: /s/ Barry M. Kazan
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Navidea Biopharmaceuticals, Inc. and
Third-Party Defendant
Macrophage Therapeutics, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2024, I caused to be served on counsel of record, electronically via the Court's electronic filing system, a true and correct copy of Plaintiff / Counterclaim Defenant Navidea Biopharmaceuticals, Inc. and Third-Party Defendant Macrophage Therapeutics, Inc.'s Motion for Clarification or Reconsideration.

/s/ Barry M. Kazan

Barry M. Kazan